

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

)
IN RE: REALPAGE, INC., RENTAL) Case No. 3:23-md-3071
SOFTWARE ANTITRUST LITIGATION) MDL No. 3071
(NO. II))
) Chief Judge Waverly D. Crenshaw, Jr.
)
) JURY DEMAND
)
) This Document Relates to:
) 3:22-cv-01082
) 3:23-cv-00326
) 3:23-cv-00329
) 3:23-cv-00330
) 3:23-cv-00331
) 3:23-cv-00332
) 3:23-cv-00333
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) 3:23-cv-00379
) 3:23-cv-00380
) 3:23-cv-00381
) 3:23-cv-00387
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) 3:23-cv-00410
) 3:23-cv-00411
) 3:23-cv-00412
) 3:23-cv-00413
) 3:23-cv-00414
) 3:23-cv-00415
) 3:23-cv-00416
) 3:23-cv-00440

**RENEWED UNOPPOSED MOTION TO DEEM
GREYSTAR MANAGEMENT SERVICES, LLC
SUBSTITUTED FOR GREYSTAR REAL ESTATE PARTNERS, LLC¹**

Plaintiffs in certain matters transferred to this multidistrict litigation (“MDL”) originally named “Greystar Real Estate Partners, LLC” as a Defendant. On June 14, 2023, Counsel for that entity conferred with Plaintiffs’ Co-Lead Counsel, indicating that the correct Defendant was “Greystar Management Services, LP.” Accordingly, in the Consolidated Amended Complaint (Dkt. 291), Multi-Family Plaintiffs named “Greystar Management Services, LP” as a Defendant (and, correspondingly, did not name “Greystar Real Estate Partners, LLC” as a Defendant). The same is true for the First Amended Consolidated Class Action Complaint. (Dkt. 314). As of June 23, 2023, Greystar Management Services, L.P. was converted to Greystar Management Services, LLC. Plaintiffs therefore respectfully move the Court to update the name on the MDL docket to “Greystar Management Services, LLC” to reflect this conversion.

The pleadings in the underlying dockets in the above-captioned matters list the original “Greystar” entity rather than the corrected one. As to the above-captioned matters, Plaintiffs therefore respectfully move the Court to (1) deem “Greystar Management Services, LLC” as substituted for “Greystar Real Estate Partners, LLC” and “Greystar Management Services, LP” in each underlying case; and (2) terminate “Greystar Real Estate Partners, LLC” and “Greystar Management Services, LP” as Defendants on each underlying case docket in which they appear.

¹ Plaintiffs prematurely filed a similar Motion (Dkt. 364) without the requisite pre-motion conferral. Plaintiffs promptly moved to withdraw the Motion (Dkt. 367), conferred with defense counsel about this Motion as reflected herein, and respectfully ask the Court to grant this renewed Motion.

Plaintiffs also submit that filing individual amended complaints in each of these actions would not be a good use of party or judicial resources. Accordingly, in the interests of conservation of resources and judicial economy, Plaintiffs hereby respectfully request that the Court also defer the need for the Plaintiff(s) in each of these underlying matters to file an amended pleading reflecting this substitution until further order of the Court.

Co-Lead Counsel has conferred with counsel for the Greystar entities. They have indicated that they do not oppose the relief requested in this Motion, provided that Plaintiffs agree that consenting to this relief does not constitute a waiver of their right to challenge service of process, subject matter jurisdiction (as qualified by Defendants' June 7, 2023 Notice Re Defendants' Positions on Jurisdiction, Service, Arbitration and Other Issues) (Dkt. 261), personal jurisdiction, or venue, or on the basis of agreements to arbitrate, class action waivers, jury trial waiver, and venue-selection provisions, as warranted. Plaintiffs have agreed to this request and ask the Court to grant the relief requested herein, subject to that understanding.

Dated: August 2, 2023

/s/ Tricia R. Herzfeld

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Plaintiffs' Steering Committee Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on August 2, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

/s/ Tricia R. Herzfeld
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